

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

July 28, 2022

United States of America

v.

James PRICE

Case No. **4:22-mj-1767**

Nathan Ochsner, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2022 in the county of Montgomery in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 846
18 U.S.C. § 922(g)(1)
18 U.S.C. § 371Conspiracy to Distribute Methamphetamine
Felon in Possession of a Firearm
Conspiracy

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Jason R. Weber, ATF Special Agent

Printed name and title

Sworn to me telephonically.

Date: 07/28/2022City and state: Houston, TX

Judge's signature

Honorable Yvonne Y. Ho

Printed name and title

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT**

I, JASON R. WEBER, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (hereinafter "S/A") with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF") and have been since August 2008. I am currently assigned to the Houston Group II Field Office.

2. Prior to my employment with ATF, I was an S/A with the Department of Treasury, Office of the Inspector General since April 2004. I attended the Federal Law Enforcement Training Center in Glynco, Georgia, where I graduated from the Criminal Investigators' Training Program (hereinafter "CITP"). Upon completing CITP, I attended the ATF National Academy where I received instruction in the recognition, identification and prosecution of federal firearms laws and violations. I also completed the ATF Firearms Interstate Nexus Training Program and Advanced Firearms Interstate Nexus Training Programs, where I received advanced instruction on the identification and origin of firearms and ammunition. During my tenure with ATF, I have been involved in numerous investigations involving federal firearms, arson, and explosive violations, as well as federal violations of contraband cigarette laws. Throughout the course of my law enforcement career, I have participated in the application for, and execution of, dozens of criminal complaints and arrest warrants.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended

to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. For the reasons stated below, I submit that there is probable cause to believe that Jonathan CHIMNEY (DOB: 8/2/1980) and James PRICE (DOB: 6/28/1970) violated Title 18 U.S.C. §§ 922(g)(1) and 371 – Felon in Possession of a Firearm and Conspiracy, respectively, and Title 21 U.S.C. § 846—Conspiracy to Distribute a Controlled Substance, to wit Methamphetamine.

PROBABLE CAUSE

5. Beginning on or about July 11, 2022 and continuing until on or about July 27, 2022, an Undercover (UC) ATF S/A (hereinafter “ATF UC1”) negotiated the purchase of numerous firearms from CHIMNEY, with delivery to be provided by PRICE, via numerous text messages and recorded phone calls. In these texts and calls, CHIMNEY sent photos of the firearms that he possessed for sale. The firearms in these photos were consistent with the firearms that UC1 would purchase as detailed later in this affidavit. It was clear to UC1 from these communications that the firearms to be purchased were in CHIMNEY’S care, custody and control.

6. Following the negotiations, the group agreed that PRICE would obtain the firearms CHIMNEY had for sale from an associate of CHIMNEY and deliver the firearms to ATF UC1, on behalf of CHIMNEY, in exchange for \$13,000 in cash and two kilograms of methamphetamine.

7. On or about July 27, 2022, PRICE arrived at an ATF Controlled Undercover Location, which was within the Southern District of Texas, along with two other individuals, and met with ATF UC1 and another UC ATF S/A (hereinafter “ATF UC2”). Upon arrival at the

ATF Controlled Undercover Location, PRICE provided approximately twenty-six firearms to ATF UC1 and ATF UC2. ATF UC1 and ATF UC2 examined the firearms and agreed to complete the purchase.

8. ATF UC1 and ATF UC2 then gave a pre-determined signal to a group of ATF S/As pre-positioned nearby, who then arrested PRICE and the other two individuals without incident.

9. The transaction for the firearms was audio and video recorded.

10. The firearms provided to ATF UC1 and ATF UC2 included the following:

- Glock model 43, 9x19mm pistol, s/n: ZMV012
- Para Ordnance, model P14-45, .45 ACP caliber pistol, s/n: RL1300
- Rock Island Armory, Unknown Model, .45 ACP caliber pistol, s/n: RIA1142213
- Smith & Wesson, model 645, .45 ACP caliber pistol, s/n: TAV1582
- Glock model 34, 9x19mm pistol, s/n: PWB560
- Glock model 45, 9x19mm pistol, s/n: BRKW415
- Glock model 36, .45 ACP caliber pistol, s/n: RNT841
- Glock model 19, 9x19mm pistol, s/n: BSVD291
- Glock model 17, 9x19mm pistol, s/n: XZR341
- Stoeger model STR-9C, 9x19mm pistol, s/n: T6429-21S03592
- Glock model 17Gen5, 9x19mm pistol, s/n: BRVY645
- Canik model TP9SF, 9x19mm pistol, s/n: T6472-16 AT 19535
- Taurus model PT111 G2, 9x19mm pistol, s/n: TKX65112
- Kahr Arms model P40, .40 S&W caliber pistol, s/n: N000638

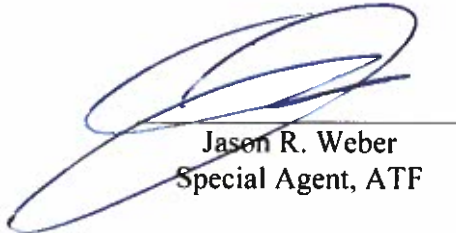
- Glock model 19Gen5, 9x19mm pistol, s/n: BPXC853
- Smith & Wesson model 58, .41 Magnum caliber revolver, s/n: N235289
- Smith & Wesson model 58, .41 Magnum caliber revolver, s/n: N234157
- Smith & Wesson model 27, .357 Magnum caliber revolver, s/n: N161929
- Smith & Wesson model 29, .44 Magnum caliber revolver, s/n: NAEB9908
- Smith & Wesson model 629, .44 Magnum caliber revolver, s/n: ADS4238
- Smith & Wesson model 629 Classic, .44 Magnum caliber revolver, s/n: CBH8362
- Glock model 20Gen4, 10mm Auto pistol, s/n: BKKW373
- AR-15-style suspected "Personally Made Firearm" (hereinafter "PMF") pistol, bearing no Manufacturer's markings of serial number
- Eagle Arms model M15A2, 5.56x45mm rifle, s/n: USA150730
- DPMS model A-15, multi-caliber rifle, s/n: FFH186114
- Norinco, model SKS 7.62x39mm rifle, s/n: C1407609

11. A query of law enforcement databases confirmed that both PRICE and CHIMNEY have previously been convicted of a crime punishable by a term of imprisonment exceeding one year.

12. Preliminary research determined that none of the above-listed firearms, with the exception of the suspected AR-15-style PMF pistol, were manufactured in the State of Texas and thereby travelled in and/or affected interstate commerce by nature of their presence in the State of Texas.

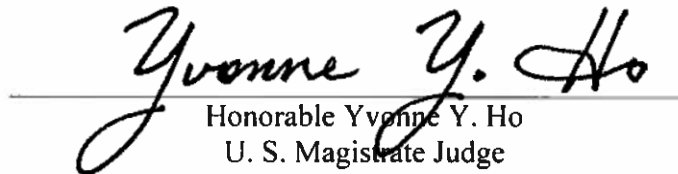
13. Due to the facts outlined above and to the best my knowledge and belief, all statements made in this affidavit are true and correct. Based on these facts, I believe probable

cause exists for the issuance of arrest warrants for Jonathan CHIMNEY and James PRICE for violations of Title 18 U.S.C. §§ 922(g)(1) and 371 and Title 21 U.S.C § 846.



Jason R. Weber
Special Agent, ATF

The foregoing affidavit was sworn to telephonically on this 28th day of July 2022



Honorable Yvonne Y. Ho
U. S. Magistrate Judge